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MEMO ENDORSED

October 15, 2007

VIA FACSIMILE

Honorable Colleen McMahon
Daniel Patrick Moynihan United States Courthouse
500 Pearl St., Room 640
New York, NY 10007

15/10/07
SUBMIT NUMBER
892050-381
WRITER'S DIRECT MAIL
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Re: Fershtadt v. Verizon Communications Inc., et al.,
No. 07-CV-6963

Dear Judge McMahon:

This firm represents defendants Verizon Communications Inc. and the Plan for Group Insurance (the "Verizon Defendants") in the above matter, and writes on behalf of all parties in this action to request an adjournment of the initial pretrial conference currently scheduled for October 19, 2007 (this Friday) at 11:15 am.

Pursuant to the Court's Order Scheduling An Initial Pretrial Conference dated September 18, 2007 ("Order"), the parties conferred on October 15, 2007 to discuss a civil case management plan for this action. The parties noted that on October 8, 2007, the Verizon Defendants filed a motion to dismiss (Dkt. #11-12), which has not been fully briefed. The parties agreed that the Court's resolution of the pending motion will affect many of the scheduling issues, including the need for or extent of any permissible discovery, raised in the Order.

Accordingly, pursuant to paragraph 4 of the Order (which provides that the Court will, upon the parties' request, adjourn the initial pretrial conference until after a pending motion is fully briefed), the parties request that the October 19, 2007 conference be adjourned until after the Court renders its decision on the Verizon Defendants' motion to dismiss.

*The motion is briefed. I will decide the motion
at the pretrial conference*

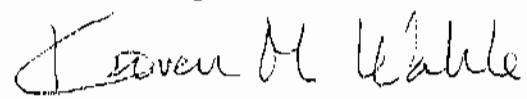
Colleen McMahon

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O'MELVENY & MYERS LLP

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Sincerely,



Karen M. Wahle
of O'MELVENY & MYERS LLP

cc: Michael Hiller, Weiss & Hiller PC
Patrick W. Beggs, Beggs Burkan & Brown LLP
Noah G. Hunter, Metropolitan Life Ins. Co.